

RCE 11692 #
PTO/SB/30 (8-00)
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<p align="center">REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</p> <p>Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).</p>	Application Number	09/341,505
	Filing Date	July 12, 1999
	First Named Inventor	JACKSON, STEPHEN PHILIP
	Group Art Unit	1653
	Examiner Name	ROBINSON, HOPE A.
	Attorney Docket Number	MEWE-005

PTO
JUL 19 2002
PATENT & TRADEMARK OFFICE

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

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COPY OF PAPERS
ORIGINALLY FILED

- Submission** required under 37 C.F.R. § 1.114

 - ☐ Previously submitted
 - ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ☐ Other _____
 - ☒ Enclosed
 - ☒ Amendment/Reply
 - ☐ Affidavit(s)/Declaration(s)
 - ☐ Information Disclosure Statement (IDS)
 - ☐ Other _____
- Miscellaneous**

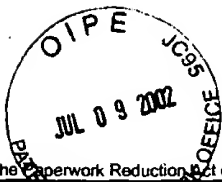
 - ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
 - ☐ Other _____
- Fees** The RCE fee under 37 C.F.R. § 1.17 (e) is required by 37 C.F.R. § 1.114 when RCE is filed.

 - ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **50-0815**
 - ☒ RCE fee required under 37 C.F.R. § 1.17 (e) 07/10/2002 BMSUYEM1 00000049 500815 09341505
 - ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:279 370.00 CH
 - ☒ Other **Fee Transmittal in duplicate**
 - ☐ Check in the amount of \$ _____ enclosed
 - ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Pamela J. Sherwood	Registration No. (Attorney/Agent)	36,677
Signature	<i>Pamela Sherwood</i>	Date	June 28, 2002

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:			
Name (Print/Type)	Susan M. Alessi	Date	June 28, 2002
Signature	<i>Susan M. Alessi</i>	Date	June 28, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



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PTO/SB/17 (10-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/341,505
Filing Date	July 12, 1999
First Named Inventor	JACKSON, STEPHEN PHILIP
Examiner Name	ROBINSON, HOPE A.
Group Art Unit	1653
Attorney Docket No.	MEWE-005

TOTAL AMOUNT OF PAYMENT

(\$ 425.00)

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit overpayments to:
Deposit Account Number 50-0815
Deposit Account Name Bozicevic, Field & Francis LLP
☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☒ Applicant Claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

2. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1)

1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
24 -20**	=	X	=
Indep. Claims 5-3**	=	X	=
Multiple Dependent	=		

Large Entity Fee Code	Small Entity Fee Code	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$

**or number previously paid, if greater; For Reissues, see above.

FEE CALCULATION (continued)

Fee Code	Large Entity Fee	Small Entity Fee	Fee Description	Fee Paid
105 130	205 65		Surcharge - late filing fee or oath	
127 50	227 25		Surcharge - late provisional filing fee or cover sheet	
139 130	139 130		Non-English specification	
147 2,520	147 2,520		For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*		Requesting publication of SIR prior to Examination action	
113 1,840*	113 1,840*		Requesting publication of SIR after Examiner action	
115 110	215 55		Extension for reply within first month	55.00
116 400	216 200		Extension for reply within second month	
117 920	217 460		Extension for reply within third month	
118 1,440	218 720		Extension for reply within fourth month	
128 1,960	228 980		Extension for reply within fifth month	
119 320	219 160		Notice of Appeal	
120 320	220 160		Filing a brief in support of an appeal	
121 280	221 140		Request for oral hearing	
138 1,510	138 1,510		Petition to institute a public use proceeding	
140 110	240 55		Petition to revive - unavoidable	
141 1,280	241 640		Petition to revive - unintentional	
142 1,280	242 640		Utility issue fee (or reissue)	
143 460	243 230		Design issue fee	
144 620	244 310		Plant issue fee	
122 130	122 130		Petitions to the Commissioner	
123 50	123 50		Processing fee under 37 CFR 1.17(q)	
126 180	126 180		Submission of Information Disclosure Stmt	
581 40	581 40		Recording each patent assignment per property (times number of properties)	
146 740	246 370		For each additional invention to be examined (37 CFR § 1.129(a))	
149 740	249 370		For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370		Request for Continued Examination (RCE)	370.00
169 900	169 900		Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 425.00)

SUBMITTED BY

Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone
Pamela J. Sherwood	36,677	(850) 327-3400
Signature	Date	08/28/2002

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CERTIFICATE OF MAILING

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Typed or Printed Name	Susan M. Alessi		
Signature	<i>Susan M. Alessi</i>	Date	June 28, 2002

AMENDMENT Address to: Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket Confirmation No.	MEWE-005 5221	COPY OF PAPER: ORIGINALLY FILED
	First Named Inventor	Jackson et al.	
	Application Number	09/341,505	
	Filing Date	July 12, 1999	
	Group Art Unit	1653	
	Examiner Name	H. Robinson	
	Title	ASSAYS, AGENTS, THERAPY AND DIAGNOSIS RELATING TO MODULATION OF CELLULAR DNA REPAIR ACTIVITY	

Sir:

Prior to continued examination of the above identified patent application, please make the following amendments. In view of the amendments to the claims and the remarks put forth below, reconsideration and allowance are respectfully requested.

IN THE CLAIMS

Please cancel claim 2 and 4 without prejudice.

E1
S.M.A.
1. (amended) A method for identifying a compound X which inhibits the binding between XRCC4 (XR-1 Cell Complementing 4) and DNA ligase IV, or XRCC4 and DNA-PK_{cs}/Ku (DNA-dependent Protein Kinase catalytic subunit/Ku), or XRCC4, DNA ligase IV and DNA-PK_{cs}/Ku, the method comprising the steps of

(i) contacting XRCC4 with compound X and one or more components selected from the group consisting of DNA ligase IV and DNA-PK_{cs}/Ku; under conditions wherein, in the absence of said compound X being an inhibitor of binding, said XRCC4 binds to said one or more components selected from the group consisting of DNA ligase IV and DNA-PK_{cs}/Ku; and

(ii) determining binding between said XRCC4 and said one or more components selected from the group consisting of DNA ligase IV and DNA-PK_{cs}/Ku; reduction or abolition in binding between said XRCC4 and said one or more components selected from the group consisting of DNA ligase IV and DNA-PK_{cs}/Ku being indicative that said compound X inhibits